

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/590,896	USHIJIMA ET AL.	
	Examiner	Art Unit	
	OLUWATOSIN OGUNBIYI	1645	

All participants (applicant, applicant's representative, PTO personnel):

(1) OLUWATOSIN OGUNBIYI. (3) ____.

(2) Allen Yun. (4) ____.

Date of Interview: 05 December 2011.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
 If Yes, brief description: ____.

Issues Discussed ☐ 101 ☐ 112 ☐ 102 ☐ 103 ☒ Others
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 8 and 17.

Identification of prior art discussed: none.

Substance of Interview
 (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Dr. Yun was contacted for clarification because the amino acids at the positions being substituted in a SpaA protein encoded by SEQ ID NO: 7 did not exist. Mr. Yun pointed to p. 21 of the specification which discloses that SEQ ID NO: 7 depicts a portion of a full length nucleotide sequence of a SpaA gene derived from SE-9 strain. Mr. Yun provided a translation of SEQ ID NO: 7 which was modified to include 106 nucleotide positions at the beginning of SEQ ID NO: 7. See attachment, the additional 106 nucleotides at the beginning of SEQ ID NO: 7 resulted in a protein that has the substituted positions in the claims. It was agreed that SEQ ID NO: 7 was a partial sequence of a full length SpaA gene from the SE-9 strain and when translated into protein does not comprise the residues at the positions being substituted as set forth in the claim. Mr. Yun was advised that an Office action will be issued addressing this issue. No other agreement was reached.

Applicant recodation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recodation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recodation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recodation including the identification of the general thrust of each argument or issue discussed; a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☒ Attachment

/Oluwatosin Ogunbiyi/ Primary Examiner, Art Unit 1645	
--	--